

Serial No.: 09/543,235

Attorney Docket No: MCS-008-00

REMARKS

It should be noted that this is the second After-Final response submitted in the case, with the first After-Final response submitted on December 22, 2003. As noted above, this second After-Final response is submitted in response to an Examiner interview.

The Office Action dated November 4, 2003, was a final rejection of claims 1, 12-17, 19 and 20 of the above-referenced patent application. Claims 2-11 and 18 were objected to as being dependent upon a rejected base claim.

Claims 1 and 19 have been amended. Claims 12-18 have been canceled. Therefore, claims 1-11, 19 and 20 remain in the case. The Applicant respectfully submits that the remaining claims are in condition for allowance.

Record is made of telephonic interviews between Examiner T. Lau and Applicant's attorney, C. Fischer, on January 29, 2004 and February 4, 2004. In those interviews, the Day et al. reference and the subject application was discussed. The Examiner and Applicant's attorney agreed that modifying the term "object" in the first clause of claims 1 and 19 with the term "moving" (such that the clause includes "measuring a path of a moving object") seems to overcome the Day et al. reference. It was agreed that claims 12-18 would be canceled and pursued in a divisional application.


Accordingly, claims 1 and 19 have been amended as discussed and claims 12-18 have been canceled. Therefore, the Applicant believes that claims 1-11, 19 and 20 of the subject application are in immediate condition for allowance.

The Applicant kindly invites the Examiner to telephone the Applicant's attorney at (805) 278-8855 if the Examiner has any comments, questions or concerns, wishes to discuss any aspect of the prosecution of this application, or desires any degree of clarification of this response.

Serial No.: 09/543,235

Attorney Docket No: MCS-008-00

Respectfully submitted,
Dated: February 4, 2004



Craig S. Fischer
Registration No. 42,535
Attorney for Applicant

LYON & HARR, L.L.P.
300 East Esplanade Drive, Suite 800
Oxnard, CA 93036-1274
Tel: (805) 278-8855
Fax: (805) 278-8064